

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ALAMOSA COUNTY
ACTING AS THE ALAMOSA COUNTY BOARD OF HEALTH



005429

Resolution No. 85-H-7

SEMS
005429
446192

RE: Issuance of Order to Show Cause to Carl Helfin, Gallagher Oil Co. and The Denver & Rio Grande Western Railroad regarding property located in Section 11, Township 37 North, Range 10 East of the N.M.P.M. in Alamosa County, Colorado

Commissioner McCoy moved for the adoption of the following resolution, Commissioner Amaya seconded the motion.

WHEREAS, it appears that certain premises located in the West Half of Section 11, Township 37 North, Range 10 East of the N.M.P.M. in Alamosa County, Colorado, is a source of filth and cause of sickness and may be injurious to the health of the inhabitants within the County of Alamosa and that such premises are covered during portions of the year with stagnant and impure water, oil and other petroleum products and is in such condition to produce unwholesome or offensive exhalations and that such premises are a nuisance per se; and

WHEREAS, based on the testimony of Mr. Marlin Luther, the Alamosa County Sanitarian and Mr. Bob Bowers of the Colorado Department of Health, the Board finds probable cause that the above violations have been committed or allowed to continue by the owners of the property, namely Carl Helfin, Gallagher Oil Co. and The Denver & Rio Grande Western Railroad.

NOW, THEREFORE, IT IS ORDERED that a hearing before the Board of County Commissioners of Alamosa County acting as the Alamosa County Board of Health shall be held on September 25, 1985, at 9:00 a.m. in the meeting room of the Board of County Commissioners of Alamosa County, Colorado, for the purpose of considering the issuance of an order of condemnation and/or an order requiring the owners of the premises to cause the property to be drained, filled up, cleaned and purified.

IT IS FURTHER ORDERED that an Order To Show Cause in the form as attached hereto be served upon Carl Helfin, Gallagher Oil Co. and The Denver & Rio Grande Western Railroad.

CONSUMER PROTECTION DIVISION
366.61

Roll call vote, three in favor, none against.

Dated this 27th day of August, 1985.

BOARD OF COUNTY COMMISSIONERS OF
ALAMOSA COUNTY ACTING AS THE
ALAMOSA COUNTY BOARD OF HEALTH

By Pat Herrera
Pat Herrera, Chairman

ATTEST:

Holly E. Lowder
Holly E. Lowder
Clerk of the Board

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF ALAMOSA COUNTY

ACTING AS THE BOARD OF HEALTH

Order to Show Cause

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TO: Carl Helfin, Gallagher Oil Co. and The Denver & Rio Grande Western Railroad

RE: A fraction of the West Half of Section 11, Township 37 North, Range 10 East of the N.M.P.M. in Alamosa County, Colorado

WHEREAS, it has come to the attention of the Board of County Commissioners of Alamosa County acting as the Board of Health that the premises located in the West Half of Section 11, Township 37 North, Range 10 East of the N.M.P.M. in Alamosa County Colorado, is a source of filth and cause of sickness and may be injurious to the health of the inhabitants within the County of Alamosa and that such premises are covered during portions of the year with stagnant and impure water, oil and other petroleum products and is in such condition to produce unwholesome or offensive exhalations and that such premises are a nuisance per se;

THEREFORE, IT IS ORDERED that a hearing before the Board of County Commissioners of Alamosa County acting as the Alamosa County Board of Health shall be held on September 25, 1985, at 9:00 a.m. in the meeting room of the Board of County Commissioners of Alamosa County, Colorado, for the purpose of considering the issuance of an order of condemnation and/or an order requiring the owners of the premises to cause the property to be drained, filled up, cleaned and purified and that such nuisance per se be removed and to immediately abate the health hazard on the above-described property.

You have a right to appear at said hearing with or without legal counsel and to present any evidence and make any statements which you desire pertaining thereto.

DATED August 27, 1985.

BOARD OF COUNTY COMMISSIONERS OF
ALAMOSA COUNTY ACTING AS THE
ALAMOSA COUNTY BOARD OF HEALTH

By Pat Herrera
Pat Herrera, Chairman

ATTEST:

Holly T. Lowder
Holly T. Lowder
Clerk of the Board